

**MINUTES OF THE MEETING OF THE
NJ FISH AND GAME COUNCIL
Central Region Office
Robbinsville, New Jersey
April 11, 2023**

The regular meeting of the Fish and Game Council was held on the above date.

The meeting was called to order at 10:00 a.m. by Chairman Frank Virgilio.

Chairman Virgilio read aloud the following notice: In accordance with P.L. 1975, c. 231 notice of this meeting was filed with and posted at the Office of the Secretary of State on March 7, 2023 and delivered to the designated newspapers for Fish and Wildlife, the Newark Star Ledger and the Atlantic City Press.

Roll call was taken in attendance:

- Chairman Frank Virgilio
- Councilman James DeStephano
- Councilman Mitchell Jones – Late 10:19
- Councilman Ed Kertz
- Councilman Rick Lathrop
- Councilman Rob Pollock - Virtual
- Councilman Bob Puskas – Absent
- Councilman Loren Robinson
- Councilman Ken Whildin – Absent

Fish & Wildlife employees included: L. Barno, G. Kopkash, C. Stanko, L. DiPiano, S. Crouse, Peter Winkler, K. Clark, K. Springer, J. Powers, and J. Bullock.

There were several members of the public in attendance.

Chairman Virgilio asked for a motion to approve the March 14th F&G Council minutes.

Councilman DeStephano made a motion to approve the March 14th minutes, seconded by Councilman Robinson. Vote taken. 5 approve, 1 abstain (Lathrop). motion approved.

Chairman Virgilio welcomed everyone and would like to thank the Fish and Game Council as well as Assistant Commissioner Golden, our two Assistant Directors, and the entire staff of NJFW for their commitment to and respect for all stakeholders. Especially stakeholder groups who represent the public trusts of Wildlife Management that have different opinions on the management of black bears in NJ. Today our stakeholders will have three opportunities for comments, 1. after the recommended migratory bird season and waterfowl status update presentation, 2. after the pheasant stocking presentation, and. 3. the regular comment period at the end of the meeting.

Assistant Director Barno mentioned this past Saturday was Opening Day for trout season and like usual we had great weather in the middle of the week then the weekend temperatures dropped a bit. The I&E staff welcomed our veterans to partake in fishing at the education pond at Pequest. The Pequest Hatchery is celebrating its 40th Anniversary and Matt Hencheck and Jonathan Carlucci along with staff just did a video that has been uploaded to the Divisions website. At our last meeting we mentioned that we were called to a halt on our 21-acre habitat project at Glassboro Wildlife Management Area for woodcock. This past Friday, F&W was issued a notice of violation from the bureau of Coastal and Land Use Enforcement for unauthorized activities of freshwater wetlands and unauthorized activities in a wetlands transition area. This project highlighted some issues with the screening tool that's utilized in the internal review process. Basically, the violations come to the degree of where the line is drawn for the wetlands area, so we will be working with Coastal and Land Use Protection (CLUE) in addressing the violations. Staff have already prepared a plan to address sediment and erosion control, which will be submitted today to CLUE. Once they approve that we will be getting work done on site to remove all the brush and debris there and regrade the site and get it planted to protect the wetlands from more sediment running off into that. Then, the Division has 30 days to develop a restoration plan for this site, which then requires approval from Land Resource Protection. Then, in addition to the restoration activities we will also be conducting a Supplemental Environmental Project and looking to enhance some other habitats in other areas.

Agriculture:

Councilman Kertz reported the weather is breaking and most farmers are out in the fields getting ready. Last night the Atlantic County Board of Agriculture had their meeting and gave out 3 scholarships to high school students. Normally, we would just do one, but we had 3 students from Egg Harbor Twp High School that are going to pursue a career in veterinary of some type, all with equal grades, so we decided to give all 3 a \$500 scholarship.

Dr. Reist reported Avian Influenza in the country is starting to slow down. He wanted to talk about ticks/ tick diseases in NJ. There are a lot more ticks than people realize in terms of species, but the four that most interesting are the Black-legged Tick, Lone Star Tick, American Dog Tick, and the Asian Long horned Tick. All these ticks have interesting life cycles. Ticks have a seasonality to them, which he showed a chart of “Times of Year When Tick Stages in Virginia are Active.” The adult Blacklegged Tick or Deer Tick, tends to be a wintertime event for people, so the Fall through early Spring and then the larva and nymph stage tend to be the rest of the year. The Lone Star Tick is a hot weather tick as well as the American Dog Tick, so those you will see more often in the Summer. Dr. Rest showed a slideshow of different ticks and what they look like and tick-borne diseases.

Farmer/Sportsman Relations:

Councilman Jones reported he received a call from a farmer about his turkey permit. He is seeing a lot of deer out in the fields. Warren County asked about the limited hours of Merrill Creek Reservoir and what that does to the freshwater fisheries stocking.

NJ Federation of Sportsmen’s Clubs:

Councilman DeStephano reported the Wildlife Rehabilitators finally had their meeting, which they are primarily interested in rehab regulation changes and how they can get that accomplished.

Councilman Robinson reported he attended the Waterfowl Stamp meeting after our last F&G Council meeting. He also attended the Fish Committee meeting, Ocean County, Middlesex, and Monmouth County meetings, and the Central Region meeting last night. All of the counties discussed the upcoming Federation Convention and anticipated Game Code and Fish Code changes. He gave the State Federation report virtually at the last Federation meeting and they voted to donate up to \$1,000 for t-shirts for the participants in the Governor’s Surf Tournament. Virtually, he attended the Union County meeting and Law Enforcements meeting.

Chairman Virgilio attended the Gloucester County Federation meeting where they discussed the fund raiser dinner that took place on St. Patrick's Day. He participated in the Cumberland County Annual Trash Hunt which had a great turnout. He met with Pete Winkler and looked at property for potential future training locations. He attended a Fish Code meeting and a Law Enforcement meeting and will report later in the meeting on those.

Finance Committee: No report

Fish Committee:

Councilman Pollock reported the Fish Committee met and there were a number of Fish Code changes discussed to simplify the code.

Game Committee: No report**Endangered & Non-Game Species Advisory Committee:**

Councilman Lathrop reported ENSAC had a meeting in March where they celebrated the number of years of service for 2 members that were rotating off the board Committee member Applegate and Committee member Burger. They also celebrated Chief Heilferty's retirement as well.

Waterfowl Stamp Advisory Committee:

Councilman Robinson reported they met after last F&G Council meeting and had a presentation from Land Acquisition Review Committee who want to work with NJFW to purchase land for waterfowl habitat.

Wildlife Rehabilitators Advisory Committee: No report**Fish & Wildlife Reports:****Land Management:**

Pete Winkler reported staff are busy with trout stocking, Spring plantings, roadwork, and mowing. They have also been working with the Division of Parks & Forestry doing prescribed burns. Staff have been making arrangements to have the Tuckahoe impoundments seeded for the R3 managed hunts for '23-'24. We continue to work on the mountain biking issues at Manasquan Wildlife Management Area. Lands continue to partner with TNC for the Hyper Humus Wetlands Restoration Project, which is still working through the final plan stages before moving to construction. As of now the start date is still open-ended. The Pond Creek Coastal Wetlands project in Higbee Beach is still on hold due to litigation with the bid process. Stone Tavern and Rising Sun boat ramp projects were completed over the winter and the next stage will be floating docks. The Tuckahoe boat ramp project is moving along, earlier this week the concrete ramp was completed. The pheasant schedule with the new dates for the 2023-24 season was handed out to Council.

Public Comment on the Pheasant Stocking Schedule 2023-24:

Barbara Sachau commented she is not in favor of stocking birds to be killed.

Chairman Virgilio asked for a vote on the 2023-24 Pheasant Stocking Schedule.

Councilman Robinson made a motion to accept the 2023-24 Pheasant Stocking Schedule as presented, seconded by Councilman DeStephano. Vote taken; all approve. Motion carries.

Law Enforcement:

Chief Panico reported it's the beginning of April and they are busy with Opening Day for trout season. Striper enforcement is in full swing, and the WMAs are full of people. We just put together a big dumping case, which was a 2-month investigation. The new recruits are done with our internal training and entered the field training program. Our next recruit class has entered the background investigation phase, and with 15 potential candidates. The interview phase will probably be in June. Update on Replacement Value of Wildlife, it is with the Commissioner, and they are working on the language for the administrative order. We are looking to having Menantico Ponds open this year. We ordered an electric sign board for the highway. Lands Management is working on putting up signs to help.

Business Administration:

Chief Springer handed out a graphic comparison of the license sales through the end of March 2019-2023. License sales for March 2023 were down 5.98% as compared to the end of March 2022. Compared to 2019, which is considered a normal year pre-covid, license sales were down 1.16%. The Wildlife Habitat Supporter Program total donations for fiscal year \$14,810 and total received since the program started in November 2021 is \$38,180.

Freshwater Fisheries:

Chief Crouse reported that Opening Day for Trout was Saturday April 8th. He provided a draft version of our opening day angler account report. We had 36 volunteers go out and monitor trout stocked waters throughout the state, with the objective is to record angler presence or turnout on specific waterbodies and to determine angler success. Many waters are chosen for a variety of reasons, some of which are places that were inquiring if it is a popular or worth staying in the program. That's also coupled with catch rates, so we want to go and see not only are people fishing but how well they did. We had an unseasonably warm Spring and unfortunately that morning we had a cold snap. We had staff and or volunteers at 37 different waterbodies, 33 of which were lakes and ponds. The turnout was pretty decent, we interacted with over 1039 anglers at those 33 lakes

and ponds with an average of 30 anglers per pond. There were a few places that did not fish so well Colonial Lake in Mercer County, and 3 waters in Warren County- Blair Lake, Ernest Lake and Mountain Lake.

Information and Education:

Linda DiPiano reported this past Saturday was Opening Day of Trout Season and we had our annual celebration at Pequest with veterans and their families. We had about 55 veterans attend and had a great day. The veterans we invite belong to programs like Project Healing Waters, Central Jersey Wounded Warriors, and the Veterans Play HOOK-e program. She would like to thank the Summit Elk Lodge 1246 Veterans Committee and the Belvidere Bagelsmith for donating breakfast for everyone. Everyone had a fantastic time and thanked us, but one veteran in particular told a story that the last 14-years he has been suffering from PTSD and goes to therapy every 2-weeks and he looks forward to this day each year and has asked us to please not stop doing this for them. The last couple of years we decided to extend to different groups, but we will always invite the veterans every year because it's just so close to our hearts. For opening day, we released the Pequest 40th anniversary video that's on our YouTube channel and our website, so please take a look at it if you haven't seen it yet. We also have 30 locations in 19 counties for our HOFNOD Youth Fishing challenge coming up in June. In March we held two turkey hunting seminars, one at Batsto and one at Pequest with a total of 91 people attending these seminars. She would like to thank Law Enforcement and the relationship we have with them through Hunter Education. It has been wonderful these past few years with Law Enforcement coming to our classes, especially thanking CPO Tyler Hausamann in helping hunter education in finally getting 27 new firearms for classes. We distribute them evenly between the North, Central and Southern regions. We were able to procure Remington 870 shotguns - 18 adult 20-gauge, six youth 20-gauge, and three adult 12-gauge models. We will be getting those into the new classes this year and will keep the old ones, so we have backup.

Wildlife Management:

Chief Stanko reported it is Spring and warmer temperatures, which mean bears are coming out of the den. She will start reporting again on Category 1 bears at every Council meeting. Since the last Council meeting, with the weather being a roller coaster of warm and cold especially up north, we've had 8 Cat 1 bears in total: 2 in Morris County for protected hive and attempted home entry, 3 in Sussex County with one attempted home entry, one protected livestock, and one property damage over \$500, and 3 in Warren County with one protected hive, one attempted home entry, and one home entry. We set five traps and captured and euthanized 1 target animal.

Jodi Powers first would like to thank Megan Mills, Megan McCafferty, and Brian Schumm for all of their hard work this past season. She gave a presentation on the deer harvest numbers for the 2022-23 season, which had a total of 38,324 deer taken. This is a 4% increase over last year, but below the 5-year average of 45,320 deer.

Endangered and Nongame Species:

Chief Clark reported the Sparta WMA 10-acre seed tree cut was completed in January and the next parcel on the plan is a 10-acre seed tree cut in stands 7-8. The public comment period was open for two months in February and March, during which we received 74 comments from the public, none had site specific concerns. The vast majority of commenters requested that the agency simply stop logging and reevaluate cutting for various reasons. Staff are proceeding with the internal Land Management Review process, after which we will hire a forester to design a work plan. The Delaware Bay Shorebird Project is starting soon on May 1, and staff will be posting important beaches on Delaware Bay and fielding shorebird stewards to interact with the public. We will be conducting the shorebird aerial survey, which will be expanded to three surveys this spring. In the area of Bat research, we are getting into the eDNA business (environmental DNA) by contracting the Rutgers eDNA analysis lab. Last summer we helped collect samples on bridges, where it's been found bats will roost and have maternity colonies. This is important in part because NJDOT is obligated to survey their structures to avoid negative impacts on bats, especially the Federally listed bats, during planned construction projects. eDNA sampling offers an easier way to survey the presence of bats compared to visual and auditory surveys.

Old Business:

Greenwood Lake Update:

Assistant Director Barno reported we have had a little progress on a positive note is some of the analysis Land Use Resource Protection have been looking within the Highlands and they found that there was a house and driveway removed from the property that wasn't factored in the impervious credits, this will give us some additional area to add to the parking.

Comprehensive Black Bear Management Policy and Black Bear Management Update:

Linda DiPiano reported that from the black bear outreach campaign, the multimedia outreach campaign launched in March with spring bear activity messages. They were broadcast around various platforms including social media, TV streaming services, and radio broadcasts. New creatives are being developed right now for the next phase of the campaign beginning in June. The behavior analysis research pre-survey was administered by the marketing vendor to help assess behavioral changes of residents resulting from the marketing campaign. Over 300 pieces of black bear safety literature were distributed to one county, public information office and one municipality this past month. Black bear educational presentations are now being offered on a limited basis to schools, summer camps, campgrounds, nature centers, scouts, hiking clubs and

municipalities. The registration form for these presentations is on the black bear education page and we already have three community events scheduled. We are working on the tool kit for municipalities and will be making that available as a micro-site within the black bear web pages and shared through NJDEP's Office of Local Government Assistance. The tool kit will include bear resources for communities including guidelines to report bear damage, implement waste management ordinances, videos for communities to post on their social media platforms, publications and materials for towns, links and banners to use in municipal newsletters or emails and on town websites. The partnership that F&W has with Sustainable Waste Management continues, and Solid Waste staff is focusing on initiatives including drafting model ordinances requiring certified bear resistant trash receptacles and other garbage management efforts. Fish and Wildlife staff are focusing on education and outreach about bear biology, safety and preventing bear encounters. A new partnership has been established between Fish and Wildlife and Rutgers cooperative extension to collaborate outreach efforts to farmers. The director and staff from the cooperative extension are available to assist our staff with developing new resources about preventing bear damage to crops and livestock and providing bear resources directly to farmers.

Lunch: 12:15- 12:40

New Business:

Migratory Bird Status Update and Recommended 2023-2024 Migratory Bird Season Dates:

Ted Nichols gave a presentation on the Migratory Bird Status and the recommended 2023-24 Migratory Bird Season Dates.

Councilman Virgilio opened for Public Comment on the 2023-24 Migratory Bird Season Dates.

Public Comment 2023-24 Season Dates:

Barbara Sachau commented she is against the season dates and the killing of birds.

Chairman Virgilio asked for a vote for the 2023-24 Season Dates

Councilman Robinson made a motion to accept the 2023-24 Season Dates as presented. Seconded by Councilman DeStephano. Vote taken; all approve. Motion carries.

License Restorations:

Kenneth Montanaro- Present

Captain Quirk read aloud the statement for the revocation appeal for Mr. Montanaro who was present. Mr. Montanaro was convicted of a violation on November 28,2022, for **N.J.S.A/N.J.A.C 7:25-5.2(b)** Take/Possess pheasant over daily limit. A second violation on November 28,2022 for **N.J.S.A/N.J.A.C. 7.52 (A)** Hunt pheasant closed season. Also Title 34 PA.C.S.A. Game 2505.(a) Safety zone violation convicted on December 28,2020.

Chairman Virgilio asked for a motion to open the floor for discussion.

A motion was made by Councilman Robinson to open the floor for discussion and seconded by Councilman Jones. Vote taken, all in favor; motion approved.

After the council discussed Mr. Montanaro's violations, Chairman Virgilio asked for a motion to close the floor for discussion.

A motion was made by Councilman Robinson to close the floor for discussion, seconded by Councilman Jones. Vote taken, all in favor; motion carried.

Chairman Virgilio stated that the council has three options, reinstate, continue with the revocation, or delay for additional information. If there is a motion to reinstate, for the record justification is needed.

Councilman Robinson made a motion Not to reinstate Mr. Montanaro's license, seconded by Councilman DeStephano. Vote taken, all in favor; Motion carried.

Michael Powell -Not Present

Captain Quirk read aloud the statement for the revocation appeal for Mr. Powell who was not present. Mr. Powell was convicted of a violation on May 28,2020, for **N.J.S.A/N.J.A.C 23:7A-2** Hunter harassment. A second violation on December 30,2022 for **N.J.S.A/N.J.A.C. 23:4-13.1** Failure to wear hunter orange.

Chairman Virgilio asked for a motion to open the floor for discussion.

A motion was made by Councilman Robinson to open the floor for discussion and seconded by Councilman Jones. Vote taken, all in favor; motion approved.

After the council discussed Mr. Powell's violations, Chairman Virgilio asked for a motion to close the floor for discussion.

A motion was made by Councilman Robinson to close the floor for discussion, seconded by Councilman Jones. Vote taken, all in favor; motion carried.

Chairman Virgilio stated that the council has three options, reinstate, continue with the revocation, or delay for additional information. If there is a motion to reinstate, for the record justification is needed.

Councilman Robinson made a motion Not to reinstate Mr. Powell's license, seconded by Councilman DeStephano. Vote taken, all in favor; Motion carried.

William Nickerson- Not Present

Captain Quirk read aloud the statement for the revocation appeal for Mr. Nickerson who was not present. Mr. Nickerson was convicted of a violation on November 28,2022, for **PA 2503** Loaded firearm in vehicle. A second violation on October 3,2022 for **N.J.S.A/N.J.A.C. 2:25-18 (C)** Possession of undersized summer flounder.

Chairman Virgilio asked for a motion to open the floor for discussion.

A motion was made by Councilman Robinson to open the floor for discussion and seconded by Councilman Jones. Vote taken, all in favor; motion approved.

After the council discussed Mr. Nickerson's violations, Chairman Virgilio asked for a motion to close the floor for discussion.

A motion was made by Councilman Robinson to close the floor for discussion, seconded by Councilman Jones. Vote taken, all in favor; motion carried.

Chairman Virgilio stated that the council has three options, reinstate, continue with the revocation, or delay for additional information. If there is a motion to reinstate, for the record justification is needed.

Councilman Robinson made a motion Not to reinstate Mr. Nickerson's license, seconded by Councilman DeStephano. Vote taken, all in favor; Motion carried.

Public Comment:

Dwayne Chapman. commented on the hour change at Merrill Creek. This is a serious change to fishing and limits fishing to weekends for anyone who works.

Barbara Sachau commented she does not like the computer change with not having video. She is also asking to include the public with the replacement value of wildlife.

Janet Pizar commented she is against pheasant stocking and to raise birds to be killed is unethical.

Councilman Kertz made a motion to adjourn the meeting at 2:05 pm. Seconded by Councilman DeStephano. Vote taken all approve.

Next meeting: May 9,2023 at 10:00 am. At the Robbinsville Office

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